

UNITED NATIONS
General Assembly
FIFTIETH SESSION
Official Records

SPECIAL POLITICAL AND
DECOLONIZATION COMMITTEE
(FOURTH COMMITTEE)
25th meeting
held on
Thursday, 30 November 1995
at 3 p.m.
New York

SUMMARY RECORD OF THE 25th MEETING

Chairman: Mr. MUTHAURA (Kenya)

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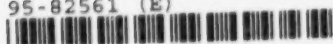
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Distr. GENERAL
A/C.4/50/SR.25
4 January 1996

ORIGINAL: ENGLISH

95-82561 (E)



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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 85: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued)

1. Mr. SAMADI (Islamic Republic of Iran) said that the reports of the Special Committee (A/50/170, A/50/282, A/50/463) clearly showed that the human rights situation of the Palestinians in the occupied territories remained a matter of grave concern. The occupation itself constituted the primary violation of the human rights of the civilian population and was the source of other violations and harsh practices by the occupying Israeli authorities, including closure and sealing of the occupied territories, land confiscation, the demolition of Palestinian homes, the detention of Palestinians, and the killing of Palestinians by military and undercover security forces. There had also been persistent violations of certain fundamental freedoms of the Palestinian peoples, such as freedom of movement, education, expression and religion, and, according to witnesses who had appeared before the Committee, the situation had actually deteriorated in many respects.
2. The repeated sealing off or closing of the occupied territories had resulted in considerable hardships for the population and had had devastating effects on the economic and social situation in those territories, in particular in the Gaza Strip. Restrictions on freedom of movement had also significantly affected the freedom of worship of both Muslims and Christians. Restrictions imposed by the occupying authorities had had very serious consequences for the health as well the education of the Palestinians.
3. The expansion of settlements and land confiscation in the occupied territories had continued, and there were an estimated 140,000 Jewish settlers living in the West Bank, the Gaza Strip and the Golan Heights. Many witnesses had testified that the expansion of existing settlements had been accelerated since the Oslo and Cairo agreements. That policy had led to a continuous alteration in the configuration of the occupied territories, and the situation regarding the expropriation of Arab-owned land and the expansion of settlements was particularly serious in Jerusalem. The Israeli authorities had carried out a deliberate policy aimed at reducing the number of Arabs in Jerusalem and creating a new demographic, geographic and political situation in the city.
4. An additional problem linked to the existence of settlements was the violent acts committed by settlers, who were consistently protected by the army, were often armed and who had become more violent and aggressive during the preceding year.
5. Killings, detentions and the mistreatment of detainees were among the other dimensions of the horrifying situation in the occupied territories; Israeli undercover units had martyred several Palestinian activists within and outside the occupied territories over the preceding year, and aggravated forms of torture were sometimes used in interrogations and had resulted in the deaths of some detainees.

6. His delegation stressed that the comprehensive and just solution to the issue of Palestine lay in the restoration of all the rights of the Palestinian people, including the return of all Palestinian refugees and displaced persons, the full and free exercise of their right to self-determination, and the liberation of all occupied territories.

7. Mr. KEENE (United States of America) said that draft resolutions A/C.4/50/L.18 to L.20 contained outdated language and made no constructive contribution to the ongoing peace process. The resources which went to the Special Committee should be used instead to support Palestinian self-government and economic development in the West Bank and Gaza. That would support the peace process, positively affect the well-being of the Palestinian people, and show that the Member States were serious about United Nations reform.

8. The resolutions simply did not reflect the developments that had occurred in the region and the progress that was expected in the coming months. The Government of Israel had just transferred to the Palestinian authority powers and responsibilities in the West Bank city of Jenin in accordance with the Interim Agreement on the West Bank and the Gaza Strip signed by the Government of Israel and the Palestine Liberation Organization at Washington on 28 September 1995. Most of the Palestinian population of the West Bank and Gaza would be under Palestinian authority by the following year, with elections for a Palestinian Council to be held 20 January 1996.

9. At a time when his Government and others were calling for organizational and budgetary reform in the United Nations, shifting the resources of the Special Committee to avenues which would bring direct benefits to the Palestinian people would provide an excellent example. \$300,000 could accomplish much in Gaza or the West Bank, and the Special Committee no longer served any useful function. His delegation called upon Member States to delete the standard request for the Committee to continue its work and to report the following year. The Special Committee's existence was inconsistent with the facts Israel and the Palestinians were creating on the ground, and its resources should be directed towards bolstering that progress.

10. His Government would continue to oppose references such as "occupied Palestinian territory, including Jerusalem". While the fourth Geneva Convention of 12 August 1949 did indeed apply to territories occupied by Israel since 1967, specific references to Jerusalem in the resolutions had no effect on issues of sovereignty or the final political arrangements in the territories, which could only be decided by the parties through direct negotiation.

Draft resolutions A/C.4/50/L.18, A/C.4/50/L.19, A/C.4/50/L.20, A/C.4/50/L.21*

11. Mrs. CUETO (Cuba), introducing draft resolutions A/C.4/50/L.18, A/C.4/50/L.19, A/C.4/50/L.20 and A/C.4/50/L.21* (draft resolutions A, B, C and D) on behalf of the sponsors, said that the texts took into account recent developments in the complex Middle East peace process, but reiterated some of the basic issues which justified the unequivocal condemnation of Israeli violations of the human rights of the Palestinian people and other Arabs in the occupied territories.

12. Draft resolution A referred to the mandate and activities of the Special Committee, and took note of the signing of the Declaration of Principles on Interim Self-Government Arrangements, subsequent implementation agreements, and the Interim Agreement on the West Bank and the Gaza Strip signed on 28 September 1995. A new preambular paragraph expressed the hope that the progress in the peace process would put an end to the Israeli occupation and to the violation of the human rights of the Palestinian people. The operative paragraphs deplored Israeli human rights violations, requested Israel to cooperate with the Special Committee and requested the Secretary-General to renew the mandate of the Committee and provide it with all necessary facilities and personnel.
13. Draft resolution B referred to the applicability of the fourth Geneva Convention to the occupied Palestinian territories, including Jerusalem, and other Arab territories occupied by Israel since 1967. The operative paragraphs also demanded that Israel accept the applicability de jure of the fourth Geneva Convention in all territories occupied since 1967 and called on all States parties to ensure that Israel respected the fourth Geneva Convention.
14. Draft resolution C considered major Israeli violations of the human rights of the Palestinian people, including deportations, imprisonment and illegal acts to alter the demographic make-up of the occupied territories. The preamble contained a new reference to the Interim Agreement of 28 September 1995. The operative paragraphs declared that all Israeli acts in the occupied territories which violated the fourth Geneva Convention were null and void and called on Israel to cease and desist. They also reaffirmed the illegality of Israeli settlements in the occupied territories, which were an obstacle to achieving a comprehensive peace. The resolution called on Israel to facilitate the return of all Palestinians deported since 1967 and to accelerate the release of all Palestinian prisoners.
15. Draft resolution D referred to the occupied Syrian Golan. The operative part of the resolution called on Israel to respect the relevant resolutions of the Security Council, declared invalid all Israeli acts in the occupied Syrian Golan, called on Israel to desist from attempting to alter the physical, demographic, institutional and legal character of the occupied Syrian Golan, and referred to the issue of settlements in that territory.
16. The co-sponsors hoped that the resolutions would be approved by the overwhelming majority of the Members of the United Nations both in the Committee and in plenary meeting.
17. Finally, her delegation believed that the United Nations and its subsidiary bodies involved in the Palestinian issue and in the Middle East peace process in general must continue to work to remove all obstacles to a just and lasting peace. The Special Committee and the United Nations had a major role to play in the peace process in which the international community had placed such hope. They had a political and moral obligation to continue that work and, despite the financial concerns raised by some delegations concerning the future of the Committee, her delegation supported the work of the Committee more than ever, as it provided hope for the peoples of the occupied Arab territories and promoted the peace process in the region.

18. Mr. RAHIM (Bangladesh) stated that his delegation wished to join in sponsoring draft resolutions A/C.4/50/L.18 to L.21*.

Draft resolution A/C.4/50/L.18

19. A recorded vote was taken.

In favour: Algeria, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Slovakia, Solomon Islands, Spain, Suriname, Swaziland, Sweden, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

20. Draft resolution A/C.4/50/L.18 was adopted by 63 votes to 2, with 65 abstentions.*

Draft resolution A/C.4/50/L.19

21. A recorded vote was taken.

In favour: Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and

* The delegations of Afghanistan and Senegal subsequently informed the Committee that, had they been present during the voting, they would have voted in favour of the draft resolution.

Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Marshall Islands, Micronesia (Federated States of), Nicaragua, Russian Federation.

22. Draft resolution A/C.4/50/L.19 was adopted by 127 votes to 2, with 4 abstentions.*

Draft resolution A/C.4/50/L.20

23. A recorded vote was taken.

In favour: Algeria, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg,

* The delegations of Afghanistan, Andorra and Senegal subsequently informed the Committee that had they been present during the voting, they would have voted in favour of the draft resolution.

Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Barbados, Marshall Islands, Micronesia (Federated States of), Nicaragua, Panama, Russian Federation, Uruguay.

24. Draft resolution A/C.4/50/L.20 was adopted by 122 votes to 2, with 8 abstentions.*

Draft resolution A/C.4/50/L.21*

25. A recorded vote was taken.

In favour:

Algeria, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United

* The delegations of Afghanistan, Andorra and Senegal subsequently informed the Committee that, had they been present during the voting, they would have voted in favour of the draft resolution.

Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Antigua and Barbuda, Argentina, Bahamas, Barbados, Kenya, Marshall Islands, Micronesia (Federated States of), Nicaragua, Russian Federation, United States of America, Uruguay.

26. Draft resolution A/C.4/50/L.21* was adopted by 121 votes to 1, with 11 abstentions.*

Explanations of vote

27. Mr. GATILOV (Russian Federation) denounced the unacceptable violations of human rights in the occupied territories and vigorously condemned the terrorist methods of certain extremist groups. Recent Israeli Government actions had led to positive changes in the situation in the occupied territories, but it continued to require the attention and the assistance of the international community. The Russian Federation, as a co-sponsor of the peace process, felt that the General Assembly had established a constructive atmosphere which would facilitate the rapid implementation of the Arab-Israeli agreements and contribute to further progress in the Middle East peace process. The draft resolutions were unchanged since the preceding year and continued to be one-sided in their assessment of the situation in the occupied territories. They contributed nothing of substance to the direct Arab-Israeli negotiations, and discussions at the Committee session could in fact complicate those negotiations. His Federation had therefore abstained in the vote on the draft resolutions under agenda item 85.

28. Mrs. MENENDEZ (Spain), speaking on behalf of the European Union, stated that its member States had voted in favour of three of the draft resolutions, but had been forced to abstain once again on draft resolution A regarding the report and the mandate of the Special Committee. The tasks and mandate of that Committee no longer reflected the realities on the ground, and the withdrawal of Israeli security forces from much of the occupied territories the following year would render its further existence unnecessary.

29. The European Union reaffirmed its commitment to the Middle East peace process, and in particular to a just, comprehensive and lasting settlement to the Palestinian question and the Arab-Israeli conflict in its entirety. The parties to the peace process could continue to rely on the active, constructive and balanced support of the European Union.

30. At the outset of the fiftieth General Assembly, the European Union had submitted a number of amendments aimed at reconsidering the mandate of the Committee in view of the progress made in the field. Although the last

* The delegations of Afghanistan, Andorra and Senegal subsequently informed the Committee that, had they been present during the voting, they would have voted in favour of the draft resolution.

preambular paragraph of draft resolution A partially incorporated that idea, that was not sufficient. She expressed the hope that the following year that idea would be fully recognized if the Israeli security forces did in fact withdraw from those areas.

31. Ms. CARAYANIDES (Australia) said that her delegation welcomed the progress made in the peace process and the implementation of the Interim Agreement, which was proceeding smoothly and ahead of schedule. As a result, increasing numbers of Palestinians in the West Bank were assuming control of their own affairs and were free of Israeli occupation. Her delegation strongly endorsed the peace process and hoped that further progress in implementation of the Interim Agreement and the commencement of the final status negotiations in May 1996 would make resolutions such as the ones just approved unnecessary in the future.

32. Mr. Byong Hyun LEE (Republic of Korea) welcomed the extension of Palestinian authority to the West Bank the preceding September. The Interim Agreement was a follow-up to the historic Declaration of Principles on Interim Self-Government Arrangements of September 1993 and would contribute to a just, comprehensive and lasting peace in the region. While commending the Special Committee for its impartial and noteworthy efforts to fulfil the mandate given it by the General Assembly, his delegation had abstained from voting on draft resolution A/C.4/50/L.18 because the text could have reflected more accurately the recent developments in the peace process.

33. Mr. PEREZ-OTERMIN (Uruguay) said that his delegation had abstained from voting on draft resolutions A/C.4/50/L.18, L.20 and L.21 because the texts did not reflect the positive results of the peace process in the Middle East, especially the agreements signed in Washington in 1993 and the Implementation Agreement on the Gaza Strip and the Jericho Area of 1994 and the Interim Agreement on the West Bank and the Gaza Strip in 1995.

34. Uruguay had always supported the peace process, believing that dialogue and understanding were the only replacement for constant war, rancour and terrorism. The Committee should not maintain texts which reflected a reality that no longer existed and contained contentious wording inconsistent with detente offered by the peace negotiations and the hope for a peaceful solution which would, in the near future, allow the long-suffering peoples of the Middle East to live together in peace.

35. That very real hope, still so fragile, and dependent on the unanimous support of the international community, should in future be reflected in the Committee's discussions on the situation in the Middle East and the question of Palestine.

36. Mr. SAMADI (Islamic Republic of Iran) said that although his delegation had voted in favour of draft resolutions A/C.4/50/L.18 to L.21, that should not in any way be construed as a recognition of the existence of the State of Israel.

37. Mr. JELBAN (Libyan Arab Jamahiriya) said that his delegation had voted in favour of the draft resolutions despite its reservations concerning anything which tended to recognize the State of Israel or accept the current peace process, which could not lead to a genuine, just, lasting, and global peace.

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Rather, a democratic, non-racial Palestinian State should be created within which Jews and Palestinian Arabs could live together in equality.

38. Ms. MAWHINNEY (Canada) said that her delegation had maintained its abstention regarding draft resolution A. It welcomed the progress reflected by the Interim Agreement of 28 September 1995 and regretted that the activities of the Special Committee had not been modified to reflect the new reality. Further progress, however, should provide an opportunity to review the many Middle East resolutions, and there was every hope that continued negotiations would render the Special Committee's further existence unnecessary and would lead to a just and lasting peace.

39. Mr. FORERO (Colombia) said that his delegation had voted in favour of draft resolution A/C.4/50/L.18, but believed that efforts to achieve a just peace would lead to the peaceful coexistence of all the peoples in the region. He hoped that the parties would continue to work to that end and avoid violence, and also that the following year such resolutions would not be necessary.

40. Miss MACKENNA (Chile) said that her delegation had voted in favour of draft resolutions A/C.4/50/L.18 to L.21 although they did not always reflect the political situation in the region, or the peace process.

AGENDA ITEM 84: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued) (A/C.4/50/L.11-L.17)

41. Mr. POERNOMO (Indonesia), introducing draft resolutions A/C.4/50/L.11 and L.13-17 on behalf of the sponsors, emphasized that the scope and value of the work carried out by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) had increased in the light of the current Middle East peace process. It therefore merited continued backing from the international community, and he hoped that the draft resolutions would be adopted with the largest possible support of Member States.

42. Mrs. MINDERHOUD (Netherlands) introduced draft resolution A/C.4/50/L.12.

43. The CHAIRMAN announced that Senegal had joined the sponsors of draft resolutions A/C.4/50/L.11 and L.14-17.

Draft resolution A/C.4/50/L.11 on assistance to Palestinian refugees

44. A recorded vote was taken on draft resolution A/C.4/50/L.11.

In favour: Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia,

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Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

45. Draft resolution A/C.4/50/L.11 was adopted by 140 votes to 1, with 1 abstention.

Draft resolution A/C.4/50/L.12 on the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

46. Draft resolution A/C.4/50/L.12 was adopted without a vote.

Draft resolution A/C.4/50/L.13 on persons displaced as a result of the June 1967 and subsequent hostilities

47. A recorded vote was taken on draft resolution A/C.4/50/L.13.

In favour: Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco,

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Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

48. Draft resolution A/C.4/50/L.13 was adopted by 140 votes to 2.

Draft resolution A/C.4/50/L.14 on offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

49. A recorded vote was taken on draft resolution A/C.4/50/L.14.

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania,

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United States of America, Uruguay, Venezuela, Viet Nam, Yemen,
Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

50. Draft resolution A/C.4/50/L.14 was adopted by 142 votes to none, with 1 abstention.*

Draft resolution A/C.4/50/L.15 on operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

51. A recorded vote was taken on draft resolution A/C.4/50/L.15.

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

* The delegation of the Philippines subsequently informed the Committee that, had it participated in the voting, it would have voted in favour.

Abstaining: Marshall Islands, Micronesia (Federated States of), Russian Federation.

52. Draft resolution A/C.4/50/L.15 was adopted by 138 votes to 2, with 3 abstentions.

Draft resolution A/C.4/50/L.16 on revenues derived from Palestinian refugees' properties

53. A recorded vote was taken on draft resolution A/C.4/50/L.16.

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, France, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, South Africa, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Ethiopia, Finland, Georgia, Germany, Hungary, Iceland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, Slovakia, Slovenia, Solomon Islands, Swaziland, Sweden, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.

54. Draft resolution A/C.4/50/L.16 was adopted by 91 votes to 2, with 48 abstentions.

Draft resolution A/C.4/50/L.17 on University of Jerusalem "Al-Quds" for Palestine refugees

55. A recorded vote was taken on draft resolution A/C.4/50/L.17.

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Russian Federation.

56. Draft resolution A/C.4/50/L.17 was adopted by 138 votes to 2, with 1 abstention.

Explanations of vote

57. Mr. GATILOV (Russian Federation) noted with satisfaction the successes achieved in the Middle East peace process over the past year. Despite continuing difficulties, a basis had now been laid for a qualitatively new political and psychological climate in the region that opened the way for the peaceful coexistence of Palestinians and Israelis and the attainment of specific results in the current negotiating stage, which was both complex and sensitive. It was therefore important that the General Assembly should work to secure the necessary international support for implementation of the agreements already reached, as well as provide for a firm and stable Palestinian-Israeli dialogue. As a sponsor of the Middle East peace process, his Government wholly supported the humanitarian activities of UNRWA, which could do a great deal to ensure the swift implementation of such agreements, particularly concerning the provision of economic and technical assistance. Some of the draft resolutions, however, still contained provisions that went beyond the strictly humanitarian mandate of

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UNRWA. His delegation had therefore abstained in the vote on draft resolutions A/C.4/50/L.15-17.

58. Mr. TAKAHASHI (Japan) said his delegation had voted in favour of draft resolution A/C.4/50/L.11 on the understanding that the reference to General Assembly resolution 194 (III), contained in the first preambular paragraph, meant that the refugee problem would be discussed during negotiations between the parties concerned, as provided for in the Declaration of Principles on Interim Self-Government Arrangements.

59. Mrs. MENENDEZ (Spain), speaking on behalf of the European Union, said that its member States had voted in favour of draft resolution A/C.4/50/L.11 in view of their belief that UNRWA, with its operational capacity and extensive experience, was in a prominent position to complement and consolidate the Middle East peace process. Unfortunately, however, support for the renewal of the UNRWA mandate had not been unanimous, for which reason the European Union had been unable to repeat its previous practice of submitting that particular draft resolution. The contribution made by UNRWA was beyond all doubt. She therefore urged all States to provide the means needed to carry out its mission.

60. Mr. SAMADI (Islamic Republic of Iran) said that he had joined the consensus on draft resolution A/C.4/50/L.12 and voted in favour of the remaining draft resolutions. However, he expressed his reservation concerning any provisions in the texts that could be construed as indicating recognition of Israel.

61. Mr. JELBAN (Libyan Arab Jamahiriya) said that his delegation had voted in favour of all the draft resolutions. He wished to place on record, however, its reservation concerning any provision that could be interpreted as constituting any recognition of Israel or any welcome of the so-called peace process. It was inconceivable that any solution to the Palestinian problem should fail to take into consideration the inalienable rights of the Palestinian people to return to its homeland and exercise self-determination, independence and national sovereignty, as well as its right to establish a State in the entirety of Palestine.

62. Ms. MAWHINNEY (Canada) said that Canada had abstained in the vote on draft resolution A/C.4/50/L.16 because the language of the text failed to take into account the multilateral negotiations currently under way. Her delegation was concerned that, in its current form, the draft resolution might prejudice the outcome of those negotiations.

63. Mr. KEENE (United States of America) said that the United States would continue to support the important educational, health, social and humanitarian relief programmes of UNRWA as the Agency entered an important new phase. His Government was disappointed that the efforts to reach a consensus on the renewal of the Agency's mandate had not been successful. Regrettably, the sponsors of draft resolution A/C.4/50/L.11 on assistance to Palestine refugees had chosen to introduce the draft in a manner that had forced his delegation to abstain in the vote. As the Agency's largest donor, the United States would have preferred a consensus resolution which truly reflected both the regard in which UNRWA was held by the Committee and the Agency's achievements. The mission of UNRWA

should not be tied to a political agenda, especially at a time of dramatic changes in the relationship between Israel and the Palestinians.

64. His Government attached great importance to the successful resolution of the question of the status and future of Palestinian refugees in the context of the Arab-Israeli negotiations. In view of the critical role of UNRWA in those efforts, his delegation supported the proposal to transfer the Agency's headquarters to the region. It continued to believe, however, that attempts to misuse UNRWA or the Committee's resolutions in order to make political statements would prejudice the outcome of the important negotiations which the parties themselves had agreed to pursue. The fact that members of the Committee still failed to fully recognize that important process was a matter of some concern.

65. Mr. SHAKED (Israel) said that Israel had voted against draft resolution A/C.4/50/L.11 because it addressed political issues which had nothing to do with UNRWA and which were contrary to the spirit of the agreements signed between the Israelis and Palestinians. It was important, however, for UNRWA to continue to provide humanitarian assistance to Palestinian refugees and his delegation therefore supported the proposed extension of the Agency's mandate until 30 June 1999.

AGENDA ITEM 92: THE SITUATION IN THE OCCUPIED TERRITORIES OF CROATIA
(continued) (A/50/648; A/C.4/50/6)

66. Mr. DROBNJAK (Croatia) said that, in view of the current delicate stage of the peace process following the signing on 12 November 1995 of the basic agreement on the region of Eastern Slavonia, Baranja, and Western Sirmium and the initialling of the general framework agreement on 21 November 1995 by the Presidents of Bosnia and Herzegovina, Croatia and Serbia, the Committee should not proceed with the debate on the item before it and should defer it instead to the fifty-first session.

67. Mr. FEDOTOV (Russian Federation) said that his delegation supported the proposal to defer consideration of the item to the fifty-first session of the General Assembly. The international community, however, must remain attentive to developments in the former Yugoslavia. He was particularly concerned over the egregious human rights abuses committed against the Serb population following the military operations of the Croatian forces. There had been numerous reports of disappearances, harassment and other forms of ill-treatment as well as the destruction of houses and entire villages by the Croatian armed forces. Many of the victims had been elderly civilians. The Russian Federation firmly believed that those guilty of violating international humanitarian law should bear individual responsibility for their actions.

68. At the same time, however, the signing on 12 November 1995 of the basic agreement on the region of Eastern Slavonia, Baranja, and Western Sirmium and the initialling of the general framework agreement by the Presidents of Bosnia and Herzegovina, Croatia and Serbia on 21 November 1995 represented a spark of hope that it might be possible to avoid further tragedy in the region by defusing tensions and removing some of the irritants in relations between Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro). In the

interests of all the peoples of the region, it was essential for the agreements to be implemented in good faith by the parties concerned.

69. Mr. PÉREZ-GRIFFO (Spain), speaking on behalf of the European Union and of Bulgaria, Cyprus, the Czech Republic, Estonia, Iceland, Latvia, Lithuania, Malta, Norway, Poland, Romania and Slovakia, welcomed the signing on 12 November 1995 of the basic agreement between the Croatian Government and the local Serb representatives on transitional arrangements for the region of Eastern Slavonia, Baranja and Western Sirmium. The agreement, which recognized the sovereignty of Croatia over Eastern Slavonia and guaranteed the rights of the local Serb population, represented a major step forward, and the European Union wished to pay tribute to the moderation of the leaders involved on all sides and to the efforts of United Nations personnel, the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, and the personnel of other international organizations, who had all helped to bring about a political solution. Eastern Slavonia could serve as an example of peaceful coexistence if displaced Croatsians were allowed to return home and the local Serb population allowed to remain. The European Union called upon the Republic of Croatia, the local Serb representatives and the Federal Republic of Yugoslavia (Serbia and Montenegro) to cooperate in good faith in the implementation of the basic agreement.

70. The European Union was committed to the independence, sovereignty and territorial integrity of the Republic of Croatia, within its internationally recognized borders. It had always called for a peaceful solution to the problem, and welcomed the decision of the Croatian authorities to opt for the peaceful reintegration of their territory. Violence had destroyed human lives, property and the peaceful coexistence of different peoples. The main challenge would therefore be to restore hope and to offer decent living conditions to those who still suffered the consequences of the catastrophe. The uncertainty that surrounded the fate of hundreds of missing persons should also not be forgotten. The European Union condemned the widespread violence and serious violations of human rights and international humanitarian law in various parts of the former Yugoslavia. The perpetrators of those crimes could not be allowed to escape with immunity and would be held personally responsible for their actions. In that connection, the parties must cooperate with the International Tribunal for the former Yugoslavia and fully comply with its decisions.

71. Recalling Security Council resolutions 1009 (1995) and 1019 (1995), the European Union was deeply concerned by the Secretary-General's report on the situation in the occupied territories of Croatia (A/50/648), and in particular by the chapter on Croatia of the report of the Special Rapporteur of the Commission on Human Rights (A/50/727) regarding the situation of human rights in the former Yugoslavia. It deplored the serious violations of human rights and international humanitarian law in those territories following offensives by Croatian forces the previous summer. The mass exodus of Croatian Serbs was a direct consequence of the dynamics of ethnic cleansing, and the Croatian authorities must bring to justice those members of Croatia's armed forces whose misdeeds could be established.

72. Without genuine improvements in the human rights situation, the peace agreement would lack a solid foundation. The behaviour of all parties with

regard to respect for human rights and the rights of minorities, as well as their cooperation with and compliance with the decisions of the International Tribunal for the former Yugoslavia, would be closely monitored by the European Union.

73. Finally, the European Union had no difficulty in accepting the proposal to defer consideration of the item to the fifty-first session of the General Assembly.

74. Mr. VERDIER (Argentina) said that the signing of the basic agreement on the region of Eastern Slavonia, Baranja and Western Sirmium and the initialling of the general framework agreement by the Presidents of Bosnia and Herzegovina, Croatia and Serbia marked the beginning of a new phase in the search for peace in the former Yugoslavia. While it would be difficult to forget the past, peace in the region was possible if the parties respected human rights and honoured their international obligations. The basic agreement acknowledged the sovereignty and territorial integrity of Croatia while also guaranteeing respect for human rights throughout the territory of the Republic, and especially those of the minority Serb population. The Croatian Government must take steps to ensure that those refugees and displaced persons who wished to return home were permitted to do so. Finally, he wished to appeal to the parties to the conflict to comply with the decisions of the International Tribunal.

75. Mr. JANSEN (Canada) expressed the hope that the recent signing of the basic agreement on the region of Eastern Slavonia, Baranja, and Western Sirmium and the initialling of the general framework agreement by the Presidents of Bosnia and Herzegovina, Croatia and Serbia would help prevent a recurrence of the suffering which the people of the region had endured during the previous four years. The agreements were a victory for common sense and for the restraint shown by all parties to the conflict. It was now important for the parties to implement without delay and in good faith the human rights standards laid down in the agreements. Canada condemned all violations of human rights and hoped that the parties concerned would cooperate with the International Tribunal. The violations of human rights and international humanitarian law by Croatian forces which were mentioned in the Secretary-General's report on the situation in the occupied territories of Croatia (A/50/648) were a cause of deep concern, and Canada called upon the Croatian Government to prosecute those responsible, to do everything in its power to protect fundamental human freedoms in the territories under its control, and to permit the safe return of refugees and displaced persons.

76. Mr. DROBNJAK (Croatia), speaking in exercise of the right of reply, said that the Third Committee, in whose deliberations Croatia participated fully, was the proper forum to debate the issue of protection of the human rights of minorities.

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COMPLETION OF THE COMMITTEE'S WORK

77. The CHAIRMAN, after reviewing the Committee's work during the session, said that the Committee had concluded the consideration of its agenda for the fiftieth session of the General Assembly.

The meeting rose at 5.30 p.m.